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## REMARKS

Claims 1-14 are pending in the application. Claims 1-14 stand rejected.

The independent claims 1, 6 and 11 have been amended to clarify the claimed invention. A network service is provided by a first device responsive to a network service request transmitted by a user. The specification in an example describes that the communicating with the first device is related to the network service request. For example see the bottom of page 11 and page 16 starting at line 5.

The invention, for example, in claim 1 comprises the components clarified and relate to:

"If the values of the network service parameters of the second device which does not respond to the network service request are controlled according to the network service request received by the first device, the second device can respond to a network service request issued by a user."

1. Clarify the characteristics of the first and second devices, more particularly that of the second device. The characteristic of each device is as follows.

A first device which can respond to a network service request transmitted by a user and a second device which cannot respond to a network service request transmitted by a user by whose setting can be externally modified.

2. Clarify that the network information collecting section collects information about the network service request of the first device by communicating with the first device.

3. Clarify that the setting device determining section specifies the second device that cannot respond to the network service request, based on the information collected by the network information collecting section.

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4. Clarify that the service mapping section maps in such a way that the network service

parameters used by the first device to respond to the network service may become parameter

values corresponding to the specified second device.

5. Clarify that the service setting section sets the values of the network service

parameters, obtained by the service mapping section by communicating with the second device.

Claims 1, 6 and 11 under 35 U.S.C. § 102(e) as unpatentable over Baugher et al.

(previously cited)(hereinafter Baugher).

In the response to argument section of the Office Action it is argued that the features

upon which applicant's arguments were based are not found in the claim language. It is

respectfully submitted that the claim language does describe a device which does not respond to

a network service request since claim 1 recites the second device.

Baugher only describes a proxy (server) has only a communication means with an edge

router, which is the entrance/exit of the network. The proxy is for forwarding or receiving a

resource reservation protocol (RSVP) on behalf of an end-host that does not support the RSVP of

the associated network.

Baugher fails to suggest any means for reserving the resource of a relay router. In

Baugher, since an end host communicates with the proxy (server) to transmit a protocol for

reserving the resource to the edge router or the like must support a resource reservation protocol

(RSVP).

In contrast applicant's claimed invention provides that the rely router can be reserved.

For example if the relay router were the second device.

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In a example embodiment of claim 1 "[t]he setting device determining section (10) specifies a relay router that does not respond to the RSVP (that corresponds to the second device set forth in claim 1), and the network information collecting section (11), service mapping section (12) and service setting section (13) communicates with a relay router that does not responds to the RSVP to be transmitted and received between the entrance/exit edge router on the route and instructs the relay router that does not respond to the RSVP to serve a resource corresponding to the parameter of the RSVP. Therefore, even if a relay router that does not support the RSVP exists in the network, a resource can be reserved between end hosts".

In Baugher the proxy uses a dedicated protocol for communicating with input and output edge-routers, which are to be connected with an end-host and a host. When the proxy receives a resource reservation request (RESV) from end-host, the proxy will forward an RSVP to an input edge-router. Conversely, when an output edge router receives an RSVP, it will relay the RSVP to the proxy and have the proxy compose and send back an RSVP response to the output edge-router.

The proxy (server) of Baugher, as is clear from above, has communication means only for communicating with edge-routers constituting entrance from and exit to the network and hence it does not discuss means making a reservation of a relaying router resource.

According to Baugher, it is necessary for each network-constituting device, such as edge-routers, to be able to respond to an RSVP (resource reservation protocol) because the end-host communicates with the proxy (server) and causes the proxy to forward to an edge router the RSVP for reserving a resource.

In contrast to the device according to Baugher, a service allocating device in a network according to claim 1 is associated with a feature in which the claim 1 constituting functions, in

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cooperation, enable one of the end-hosts to reserve a resource belonging to another of the end-hosts even if an associated network includes a relaying router that does not respond to an RSVP.

It is therefore respectfully requested the rejection be withdrawn and claims 1, 6, and 11 be placed in condition for allowance.

Claims 3, 4, 8, 9, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 5,068,892 to Livanos, et al. (Livanos).

Levanos only describes a management system with dynamic control of communication routes within a telephone network, and represents a method for identifying a plurality of routes under a presumption that the telephone network is constituted by exchanges of which all are provided with equivalent functions.

Because Levanos is based on this specifically presumed environment, Levanos does not teach or anticipate the present invention configuration, either by itself or in combination with Baugher. The configuration according to claim 3 for identifying and distinguishing respective routers of which some are responsive to a request from an end-host such as an RSVP and capable of reserving resources of themselves independently, while others are not responsive to such a request, rely on a management server that exercises control over the router resources is not disclosed, or even suggested by either of the cited references..

Additionally, claims 3 and 4 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1 is allowable. Claims 8 and 9 depend from claim 6 and are therefore allowable for at least the same reasons as claim 6 is allowable. Claims 13 and 14 depend from claim 11 and are therefore allowable for at least the same reasons as claim 11 is allowable. It is respectfully requested the rejection be withdrawn and claims 3, 4, 8, 9, 13, and 14 be placed in condition for allowance.

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Claims 2, 5, 7, 10, 12, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baugher in view of United States Patent No. 5,687,167 to Bertin, et al. (Bertin).

Bertin only describe a node for allocating a resource according to a priority criterion when a plurality of mutually conflicting resource requests are issued.

Bertin, similarly to either Baugher or Livanos, assumes a homogeneous network in which a network contains nodes, each being provided with an equivalent set of functions, and in which all these nodes need to be controlled by the same, single-resource, reservation method.

The present invention, in contrast, provides a network, which may be a heterogeneous network, that contains nodes that function in different resource reservation methods or in different resource control methods. The device according to claim 2 therefore identifies which nodes (routers, for example) are unable to resolve mutually conflicting requests within respective nodes, and makes available a way of exercising a control that enables to reserve resources belonging to such nodes. This configuration associated with the present invention is not taught or anticipated in Bertin or by any combination with Baugher or Livanos.

Claims 2 and 5 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1 is allowable. Claims 7 and 10 depend from claim 6 and are therefore allowable for at least the same reasons as claim 6 is allowable. Claims 12 and 15 depend from claim 11 and are therefore allowable for at least the same reasons as claim 11 is allowable. It is respectfully requested the rejection be withdrawn and claims 2, 5, 7, 10, 12, and 15 be placed in condition for allowance.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider

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this application not to be in condition for allowance, the Examiner is respectfully requested to

telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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